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OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Council of the County of Kaua'i will hold a public hearing on Wednesday, May 17, 2017, at 1:30 p.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2647

A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING MAP ZM-PO 300 (*CIRI Land Development Company, Applicant*) (ZA-2017-2)

This Bill proposes to amend Chapter 8, Kaua'i County Code 1987, as amended, by amending the Visitor Destination Area boundaries in Po'ipū, Kaua'i, to include properties identified as Tax Map Key Nos. (4)2-8-21:041 and 2-8-21:044-068, subject to conditions stated in the Bill. The applicant is CIRI Land Development Company.

All interested persons who wish to present their comments may do so at the public hearing. Written testimony prior to the hearing would be appreciated. Written testimony can be submitted to the Office of the County Clerk, Council Services Division by mail, facsimile, or via E-mail to counciltestimony@kauai.gov. Copies of the Bill are available at the Office of the County Clerk, Council Services Division.

(The Council Committee or Council may amend this Bill at its subsequent meetings. Meeting notices are posted at least six (6) days in advance at the County Clerk's Office and the public may also testify at any of these meetings.)

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the foregoing Bill No. 2647 was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on April 12, 2017, by the following vote:

AYES:	Brun, Chock, Kagawa, Kaneshiro, Kawakami	TOTAL – 5,
NOES:	Yukimura	TOTAL – 1,
EXCUSED & NOT VOTING:	Rapozo	TOTAL – 1.

Līhu'e, Hawai'i  
April 13, 2017

/s/ Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUAI, HAWAII, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

(One publication – The Garden Island – April 21, 2017)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY  
CODE 1987, AS AMENDED, RELATING TO ZONING MAP ZM-PO 300**

(CIRI Land Development Company, Applicant) (ZA-2017-2)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE  
OF HAWAII:

SECTION 1. The Visitor Destination Area map established in Chapter 8, Article 17, Kauai County 1987, as amended, is hereby amended to include the properties shown on Zoning Map ZM-PO 300 (Po'ipū), which is attached hereto and incorporated herein, and identified by Tax Map Key Nos. (4) 2-8-21:041 and 2-8-21:044-068, subject to the following conditions:

- a. The issuance of final approval of Subdivision S-2015-14 for a ten-lot subdivision;
- b. The exclusion of one (1) lot from the Visitor Destination Area designation as shown on the zoning map attached to the ordinance that amends the zoning district boundary of the subject property;
- c. The restriction on each of the ten (10) lots included in Subdivision S-2015-14 to one dwelling per lot. The Applicant shall be required to enter into a Workforce Housing Agreement with the Kauai County Housing Agency agreeing to execute a Deed Restriction that will create a restrictive covenant which will run with the land in perpetuity, unless modified per the terms found in the Deed Restriction;
- d. The recordation with the Bureau of Conveyances of the State of Hawaii of the Deed Restriction which prohibits owners, their heirs, successors, and assigns from causing the development of more than ten (10) dwelling units on the subject property within sixty (60) days of the adoption of said ordinance; and
- e. The recordation with the Bureau of Conveyances of the State of Hawaii of the ordinance authorizing the zoning amendment to designate nine (9) of the lots in Subdivision S-2015-14 in the Visitor Destination Area, within 60 days of the adoption of said ordinance.

SECTION 2. The Director of Planning is directed to note the boundary change on official Zoning Map ZM-PO 300 on file with the Department of Planning. All applicable provisions of the Comprehensive Zoning Ordinance shall apply to the area demarcated by the new boundary.

SECTION 3. Severability. The invalidity of any word, section, clause, paragraph, sentence, part or portion of this ordinance shall not affect the validity of any other part of this ordinance that can be given effect without such invalid part or parts.

SECTION 4. This ordinance shall take effect upon its approval.

Introduced by:



MASON K. CHOCK  
(By Request)

DATE OF INTRODUCTION:

**April 12, 2017**

Līhu'e, Kaua'i, Hawai'i

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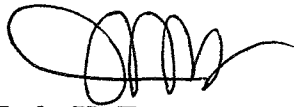


CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2647, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on April 12, 2017, by the following vote:

FOR PASSAGE:	Brun, Chock, Kagawa, Kaneshiro, Kawakami	TOTAL – 5,
AGAINST PASSAGE:	Yukimura	TOTAL – 1,
EXCUSED & NOT VOTING:	Rapoza	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Līhu'e, Hawai'i  
April 13, 2017

  
Jade K. Fountain-Tanigawa  
County Clerk, County of Kaua'i